IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 312 OF 2006

The State of Maharashtra ..Applicant

Vs.

Malcom Lodge ..Respondent

Dr. S.S. Tatkare, APP for applicant.

**CORAM: B.H. MARLAPALLE, J.**

**Date : January 12, 2007.**

**P.C.:**

. Heard.

. The State has filed this revision application challenging the order passed by the learned Chief Metropolitan Magistrate, 40th Court, Girgaon, Mumbai on 2/12/2005 whereby the application to grant permission to further investigate and submit report under Section 173 (8) of Cr.P.C. was rejected. The State has the similar remedy before the Sessions Court and, therefore, this revision is disposed off by relegating the State to the alternative remedy before the Sessions Court.

. On the issue of limitation to file such a revision application, the period of pendency of these proceedings i.e. from 25/7/2006 till this date shall be taken into consideration by the Sessions Court if the revision application is presented within a period of four weeks from today.

**(B.H. Marlapalle,J.)**